

No. 3309 P. 11  
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**DEC 07 2009**  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/521,439 Confirmation No. 9055  
Applicant : Michio MINESHIMA et al.  
Filed : January 14, 2005  
TC/A.U. : 3763  
Examiner : Christopher Koharski  
Dkt. No. : NPR-159  
Cust. No. : 20374

I hereby certify that this paper is being  
facsimile transmitted on December 7, 2009, to  
the United States Patent and Trademark Office  
to facsimile number (571) 273-8300.

  
\_\_\_\_\_  
Ronald J. Kubovcik

NOTICE OF APPEAL

Mail Stop AF  
To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 7, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and  
Interferences from the decision dated June 5, 2009, of the Primary  
Examiner finally rejecting claims 1, 2 and 5-11.

The items checked below are appropriate:

1. XX A petition for an extension of time to respond to the final  
rejection was filed on December 7, 2009, for 3 months.

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U.S. Patent Appln. S.N. 10/521,439  
NOTICE OF APPEAL

PATENT


2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or \_\_\_ Small Entity \$255.00

XX Enclosed (as part of PTO-2038 for \$1,650.00)

\_\_\_ Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.

  
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